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Amr Yassin

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

CHANKONG, DOHM

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

10/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/028,381

Applicant(s)

YASSIN ET AL.

Examiner

Dohm Chankong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

- 1> This action is in response to Applicant's request for continued examination. Claims 1, 5, 14, and 20 are amended. Claims 1-15 and 17-20 are presented for further examination.
- 2> This is a non-final rejection.

#### *Continued Examination Under 37 CFR 1.114*

- 3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8.20.2007 has been entered.

#### *Response to Arguments*

- 4> Applicant's arguments with respect to claims 1-15 have been considered but are not persuasive. Applicant's amendments do not overcome the Kimoto and Zintel references. Applicant argues that the references do not disclose selecting specific data from a document or that the devices in Kimoto and Zintel request specific data from a repository.

Applicant asserts that Kimoto merely discloses a system that sends a key for converting the content being sent to the device. But this is not an accurate or relevant characterization of Kimoto's system. Kimoto discloses that a user submits a request for data by specifying a specific style sheet [Figure 9]. According to Zintel, a style sheet are used to

Art Unit: 2152

present data in different ways. That is, the style sheet extracts specific information or data and presents only the extracted specific data [see Zintel, column 49 «lines 30-36» where: different style sheets may extract and show only file selections, file sizes or image files].

Thus, based on Zintel's teachings of style sheets, one of ordinary skill in the art would have reasonably inferred that Kimoto's disclosure of a user selecting different style sheets reads on a format preference that selects specific data from a document. Selecting different style sheets results in the selection of different specific data from a document (in Zintel, file selections, file sizes, or image files). Therefore, the combination of Kimoto and Zintel teach the new claim limitations. The rejection of claims 1-15 under Kimoto in view of Zintel are therefore maintained. A new ground of rejection is submitted for claims 17-20 in view of Kimoto and Zintel.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5> Claim 5 is rejected under 35 U.S.C §102(e) as being anticipated by Jamtgaard et al, U.S Patent No. 6.430.624 ["Jamtgaard"].

Art Unit: 2152

6> As to claim 5, Jamtgaard discloses a method for utilizing a data format preference of a device, comprising:

connecting a device to a network having a data repository [Fig. 2];

sending a device format preference to said data repository when the device is connected to the network, the device format preference including format information for needed data [column 7 «lines 13-30»: header of the request contains information about the format desired by the requesting device];

utilizing, at the network, the device format preference to select specific data from a document, compatible with the needs and capabilities of the device from the data repository in preparing data for transmission to said device [column 7 «lines 38-60»]; and

sending the prepared needed data to said device [column 6 «lines 64-67»].

#### *Claim Rejections - 35 USC § 103*

7> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8> Only those claims that have been amended are formally addressed in this action. For the substance of the rejections for those claims not formally addressed in this action, refer to the prior non-final rejection, filed 1.5.2007.

Art Unit: 2152

9> Claims 1-15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimoto in view of Zintel et al. (U.S. Patent Number 6,910,068), hereinafter referred to as Zintel.

10> Kimoto disclosed a system for using style sheets which define the expression and form of documents to be transmitted in which key data can be used to protect the style sheets. In an analogous art, Zintel disclosed a system that uses an XML-based template language to describe device characteristics of devices connected via universal plug and play.

11> Concerning claims 1, 5, 6, and 14, Kimoto did not explicitly state sending the device format preference upon connection to the network. However, automatically sending control information upon a device's connection to a network was well known in the art as evidenced by Zintel whose UPnP devices send format information to other devices in the network upon connection to the network.

Concerning claims 1, 5, 6, 14, and 20, Kimoto does disclose that a user can request that data be presented based on a particular style sheet but does not expressly disclose selecting specific data from a document compatible with the needs and capabilities of the device. However, Zintel discloses that selecting a particular style sheet is a proxy action for selecting specific types of information [column 49 «lines 30-36» where: different style sheets may extract and show only file selections, file sizes or image files]. The data format is compatible with the capabilities of the device [see Zintel, abstract : discovery of the device's capabilities | column 51 «lines 1-9» : xsl files used for "optimal presentation"]. The disclosure that the

Art Unit: 2152

style sheets are for “optimal presentation” on a device clearly implies that the presentation is specifically tailored to the requesting device’s capabilities.

It would have been obvious to one of ordinary skill in the art at the time of the applicant’s invention to modify the system of Kimoto by adding the ability to send the device format preference upon connection to the network and selection of specific data from a document as provided by Zintel. Here the combination satisfies the need for a device connectivity model without persistent device configuration and for the ability to present different view of the same data depending on the capabilities of the device [Zintel, column 2, lines 57-61 and column 50 «line 64» to column 51 «line 9»]. This rationale also applies to those dependent claims utilizing the same combination.

12> Thereby, the combination of Kimoto and Zintel discloses:

- <Claim 1>

A method for utilizing a data format preference of a device, comprising: connecting a device to a network having a data repository (Kimoto, figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); sending a device format preference to said data repository in response to said connecting at a time the device is initially connected to the network (Kimoto, column 15, lines 21-34 and column 16, lines 7-9, and Zintel, column 50, lines 23-34 and column 50, line 64 through column 51, line 9), the device format preference including format information for needed data (Kimoto, column 16, lines 7-28); utilizing, at the network, the device format preference to select specific data from a document, compatible with the needs and capabilities of the

device, from the data repository in preparing data for transmission to said device (Kimoto, Figure 9 : sending the style sheet request | column 16, lines 29-41 and Zintel, column 51 «lines 1-9» : xsl files used for extracting different types of data such as text or images for “optimal presentation”); and sending the prepared data to said device in the preferred data format (Kimoto, column 16, lines 42-63);

- <Claim 5>

A method for utilizing a data format preference of a device, comprising: connecting a device to a network having a data repository (Kimoto, figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); sending a device format preference to said data repository when the device is connected to the network, the device format preference including format information for needed data (Kimoto, column 16, lines 7-28); utilizing, at the network, the device format preference to select specific data from a document, compatible with the needs and capabilities of the device from the data repository in preparing data for transmission to said device (Kimoto, Figure 9 : sending the style sheet request | column 16, lines 29-41 and Zintel, column 51 «lines 1-9» : xsl files used for extracting different types of data such as text or images for “optimal presentation”); and sending the prepared needed data to said device (Kimoto, column 16, lines 42-63), wherein the device connected to the network sends the device format preference each time it is connected to the network (Zintel, column 50, lines 23-34 and column 50, line 64 through column 51, line 9);



Art Unit: 2152

- <Claim 14>

A method for recognizing a preferred format of a device comprising: connecting the device to an In-Home Digital Network (IHDN) network that has an extensible Markup Language (XML) data repository (Kimoto, figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); sending, in response to said connecting at a time the device is initially connected to the network or, by the device connected to the network the device format preference each time said device is connected to the network (Kimoto, column 15, lines 21-34 and column 16, lines 7-9, and Zintel, column 50, lines 23-34 and column 50, line 64 through column 51, line 9), an Extensible Style sheet Language (XSL) style sheet request for excerpted electronic programming guide (EPG) information, including a device format preference from the device, over the IHDN network to an Extensible Style sheet Language Transformation (XSLT) engine in communication with the XML data repository (Kimoto, column 16, lines 7-31); and utilizing, on the network, said device format preference to select specific data from a document, compatible with the needs and capabilities of the device, from the XML data repository in preparing data for transmission to said device (Kimoto, Figure 9 : sending the style sheet request | column 16, lines 29-41 and Zintel, column 51 «lines 1-9» : xsl files used for extracting different types of data such as text or images for “optimal presentation”); and transmitting data to said device in the preferred device format (Kimoto, column 16, lines 48-63);

Art Unit: 2152

- <Claim 20>

A system for using a format preferred for a device, the system comprising: a network that includes a data repository (figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); said device, connected to the network and having a data format preference (figure 5, item 18/68 and column 15, line 64 through column 16, line 2); and a data packet containing a request for specific information, said data packet including said data format preference to select specific data from a document, compatible with the needs and capabilities of the device, wherein said data packet is prepared by the device and transmitted over the network to said data repository (Kimoto Figure 9 : sending the style sheet request | column 16, lines 29-41 | column 15, lines 21-34 | column 16, lines 7-9 and Zintel, column 51 «lines 1-9» : xsl files used for extracting different types of data such as text or images for “optimal presentation”), said network being configured for using said data format preference in preparing the specific information for transmission to said device, said data format preference stored by said data repository (column 16, lines 29-41), wherein the specific information requested is electronic programming guide information (column 16, lines 60-63).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: the following prior art describe the well known functionality of receiving a

Art Unit: 2152

request, formatting the requested data based on the sender's capabilities and sending the formatted data to the sender.

Agraharam et al, U.S Patent No. 6.035.339;

Humpleman et al, U.S Patent No. 6.182.094;

Sampsell, U.S Patent No. 6.219.839;

Humpleman et al, U.S Patent No. 6.288.716;

Hofmann et al, U.S Patent Publication No. 2001|0039540;

Rivera et al, U.S Patent Publication No. 2002|0107913;

Gabrick et al, U.S Patent Publication No. 2002|0161802 – analyzing a client request to determine the client's capabilities and to return data in a format conforming to those capabilities [abstract | 0007];

Yalcinalp, U.S Patent No. 6.507.857;

Rubin et al, U.S Patent No. 6.721.804;

Kiritzov et al, U.S Patent No. 6.816.879;

Lonnroth et al, U.S Patent No. 6.826.597 – using XSL style sheets to conform documents into a format request by the client [abstract];

Judd et al, U.S Patent No. 7.016.963 – identifying specifics of a client request In order to customize interfaces for the particular client [abstract | Fig. 4];

Hosoda, U.S Patent No. 7.020.839 – use of a style sheet to select specific data from a document in order to properly display the specific data on a client device [Fig. 8 | Fig. 9];

Alsafadi et al, U.S Patent No. 7.124.356;

Zintel et al, U.S Patent No. 7.130.895;

Paul et al, U.S Patent No. 7.200.809;

Hill et al, U.S Patent No. 7.251.778 – client requesting a specific style sheet in order to adapt data in a document for presentation on a client device [abstract | Fig. 4];

Art Unit: 2152

Hütsch et al, U.S Patent No. 7.269.664 - using style sheets to specify different user interfaces for different devices [column 10 «lines 17-24»].

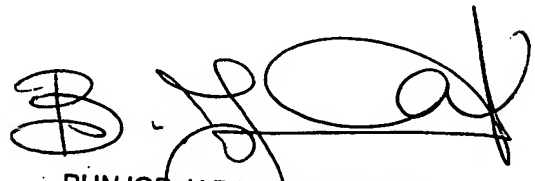
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942.

The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC

  
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SUPERVISORY PATENT EXAMINER  
9/26/7